

FLEEING FROM PERSECUTION TO GET PERSECUTED

- Shanuja Thakur
- Presidency school of law, Presidency University, Bengaluru, Karnataka

ABSTRACT



Just imagine being humiliated, being treated as aliens in your own home country how does it feel to be treated like strangers by your fellow citizens, not just your fellow citizens but also the government. The government from whom we expect protection of our rights, whose mere existence is for us, because of us, that government treats you unequally, you face arbitrariness everywhere you go in your homeland. The faiths and the beliefs you possess, which make you an individual in the society, give you an identity those faiths and beliefs become the reason for your sufferings and law, justice is not even on the menu. You are forced to leave your home and reside in an unknown place, where again there will be differential treatment and again no law to save you. Such is the plight of refugees in today's world, the world where we talk about Vasudeva kutumbhakam, the world is my family. The refugee children are worst affected, every child from every nation deserves education, nutrition, opportunity to grow and discover their potential and accomplish their dreams, but the refugee children are deprived of every right any normal kid has. The refugee women are exploited, raped, forced into human trafficking which just inhuman and there is no way for them to escape this turmoil. Wherever these women, children go they face similar struggles. This research paper deals with the condition of refugees

from China and Myanmar, what laws are there for their protection, and how they get persecuted.

KEYWORDS – refugees, refugee law, non-refoulment, UNHCR, United Nations, repatriation.

INTRODUCTION

The alarming increase in the number of refugees today is a reason why we need to understand and assess the issues and the laws to make the world a better and safer place to live. Refugees are asylum seekers who leave their home country due to a well-founded fear of persecution because they possess some religious belief, political thoughts, color, nationality, or membership in a particular social group. The persecution they have to face is unimaginable for us, they are forced to live in detention camps, refugee children are deprived of education, deprived of a healthy life which is a fundamental need, they are forced into so-called reeducation camps for the conversion of their beliefs. These people flee from their country to other countries in the hope of a better life or at least a normal life but unfortunately, they are moving from persecution in their home country to persecution in other nations. Refugee law is a branch of international law that is still under process of development, in many countries, there are laws for the refugees or the countries are a part of international treaties, conventions, and protocols but because there is no international body in existence to have a check over these laws, there is no enforceability and implementation of these laws, refugees continue to be the victims.

UNHCR¹ is one of the bodies aimed at the betterment of the lifestyle of refugees, it is a united nation body with a motive to protect refugees, forcibly displaced and homeless humans, and

¹ <https://www.unrefugees.org/about-us/>

assist in their voluntary repatriation, local integration or resettlement to a third country.² . The Geneva refugee convention and protocol is a major tool that drives the UNHCR's work.³

Every country has some laws relating to refugees, not all countries welcome the refugees and look at them as a burden to the economy. The period for granting citizenship to refugees is different for different countries⁴, for instance, India doesn't have any specific rule of law about refugees but it confers basics rights to them under certain articles of Indian constitution, 145 countries are signatory to the united nations 1951 refugee convention, And 144 countries were signatory to 1967 protocol which wasn't mandatory, the protocol has a wider scope of refugee law .⁵

In this legal research, I'm trying to relate the condition of refugees from Myanmar and China in their home and asylum nations and the refugee laws of those nations. In Myanmar the Rohingyas were persecuted by the government because of their religious belief and minority, forced to leave their homeland or escaping the genocide Rohingyas are now residents of India and Bangladesh, in China, the Uighurs, from north-western Xinjiang region, reside in Sweden, turkey, and other western countries, the situation in China is worse than in Myanmar, the Uighurs who have fled from China take months to find any news about their families, the women are forcefully sterilized and raped in prisons, due to the islamophobia of Chinese government this community of Muslims is forced to get into re-education camps. The refugee laws in Asian countries are tender, Asian countries are not signatory to international protocols so the refugees are easily persecuted and forced to live in a pathetic environment, without even basic amenities of life, and they don't even have the law to protect them.

² www.flickr.com/people/unhcr

³ www.unhcr-eth.org

⁴ www.multiplecitizenship.com/worldsummary

⁵ hrlibrary.umn.edu/instree/v2prsr.htm

REFUGEE LAWS, UNHCR, AND OTHER CONVENTIONS

Refugee law is a branch of international law that tells us about the rights and duties of a state concerning the forcefully displaced people who have fled from their country and have a fear of persecution in case they are refouled, so what these refugees can claim as their rights in the country where they live as an asylum seeker and what are the duties of that country.⁶

The 1951 United Nation's Convention and the 1967 protocol Relating to the Status of Refugees are 2 major instruments being used to curb this menace and 145 countries have ratified the convention and 144 nations have ratified the protocol⁷. The difference between the protocol and convention is the geographical restriction and definition, convention recognizes only the displaced people in Europe after the events of 1st Jan 1951, whereas protocol doesn't recognize this restriction, the countries who had signed the convention in 1951 were given an option to either retain the restriction or to use definition restricted to Europe. Only Madagascar is the country who hasn't retained it.⁸

UNHCR is the body aiming at providing international security and protection to refugees, including promoting access to international refugee instruments and other relevant human rights instruments. UNHCR's activities are also focused on assisting in the strengthening of

⁶ <https://www.uscis.gov/humanitarian/refugees-asylum/refugees>

⁷ <https://www.unrefugees.org/refugee-facts/what-is-a-refugee/>

⁸ <https://ijrcenter.org/refugee-law/>

legal structures that would enhance the rule of law, including in the area of transitional justice.

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There were many conventions as an aftermath of world war 2 that formed the basis of refugee law, a few of them are as follows -:

Many countries don't recognize these conventions but they do have their laws and rules concerning the status of refugees, rights, and duties of state concerning refugees. Many countries have adopted binding regional instruments for the protection of refugees, but there is lack of such instruments to guard the refugees of the Asian region.

India does not have any legislation when it comes to status and entry of refugees. The Constitution of India guarantees certain Fundamental Rights to refugees which are, right to equality (Article 14), right to life and personal liberty (Article 21), right to protection under arbitrary arrest (Article 22), right to protect in respect of conviction of offenses (Article 20), freedom of religion (Article 25), right to approach Supreme Court for enforcement of Fundamental Rights (Article 32), are available to refugees as much as they are to other non-citizens

RIGHTS OF REFUGEES --:

⁹ <https://www.un.org/ruleoflaw/thematic-areas/international-law-courts-tribunals/refugee-law/>

NON-REFOULEMENT – It is a basic principle of refugee law. Non-refoulement refers to the obligation of States not to refoule, or return, a refugee to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion under article 33 (1) of 1951 convention. It is expressly stated in human rights treaties such as Article 22(8) of the American Convention on Human Rights and Article 3 of the Convention against Torture. It is part of the basic human right, right to life, and freedom from torture.¹⁰ The principle of non-refoulement prohibits not only the removal of people but also the mass expulsion of refugees.¹¹

FREEDOM OF MOVEMENT -: Article 26 of the 1951 Convention provides that States shall pay for the place of residence within the territory for refugees and give them the right to maneuver freely within the State. Meanwhile, Article 28 obliges State parties to issue refugees travel documents permitting them to travel outside the State “unless compelling reasons of national security or public order otherwise require.” This was because the refugees are sometimes forced to stay in the refugee camps only by the host country, restricting their access to employment, education, etc. as the host countries with limited national resources and/or limited legal frameworks for protecting refugees who may be hosting large refugee populations may confine them to refugee camps.

RIGHT TO LIBERTY AND SECURITY OF A PERSON -: The national laws of several countries provide for the detention of asylum seekers at one point or another during the adjudication of their claims, the condition of these detention centers is a reason why the refugees have this right. The precedent for this law is the refugee problem of Greece which is

¹⁰ Case of M.S.S. v. Belgium and Greece

¹¹ African [Banjul] Charter on Human and Peoples’ Rights, art. 12(5)

used as a major port to enter in Europe by many refugees, To clarify which State has responsibility for a particular asylum applicant, the Council of the European Union established the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national commonly known as Dublin regulations.¹² Under the Dublin Regulation, the State through which the third-country national first entered Europe is usually considered the State liable for adjudicating that national's asylum claim under Dublin Regulation, Art. 10(1). As a result, many of those asylum seekers are returned to Greece to have their claims adjudicated.

OTHER RIGHTS – refugees shall be treated at least like other non-nationals concerning the following –

Movable and immovable property (article 13)

The right of association in unions or other associations (article 15)

Wage earning employment (article 17)

The practice of a liberal profession (article 19)

Housing (article 21)

Education higher than elementary (article 22)

A refugee shall be treated at least like nationals concerning –

¹² Council Regulation EC No. 343/2003 of 18 February 2003

Freedom to practice their religion (article 4)

Rationing (article 20)

Elementary education (article 20)

Public relief and assistance (Article 23)

Labour legislation and social security (article 24)



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IMPLEMENTATION OF THE LAWS WITH RESPECT TO REFUGEES FROM MYANMAR AND CHINA.

MYANMAR –

Background story - the Rohingyas are a group of Muslims of Myanmar who were rendered stateless after 1982 new citizenship law as they were not recognized as one of the country's 135 ethnic groups .According to this law there are three levels of citizenship, in the first level or naturalized citizenship a proof that the person's family lived in Myanmar before 1948 and fluency in one of the national languages was required, and such proof was denied to Rohingyas,

this ethnic group is being persecuted since then, restricted to move freely around the country resulting in the infringement of their rights to study, work, travel, marry or practice their religion, and even to access health services. In November 2016, a UN official accused the authorities of Myanmar cleansing of the Rohingyas ethnically. It was not the first time such an accusation has been made.¹³ The government of Myanmar razed at least 55 villages once populated by Rohingyas, they accuse Rohingya's Arakan Rohingya salvation army of provoking such a situation, the government considers this army as militants and illegal immigrants from Bangladesh, the reason being their color and religion for Rohingya genocide.

REFUGEE LAWS IN INDIA AND BANGLADESH WITH REGARD TO ROHINGYAS



INDIA WITH ROHINGYAS

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Myanmar's Rakhine jailed and tortured by Buddhist nationalists; the women violated; the heavy-handed restrictions; the Muslims who fled to India, a country which used to be a place known for its unity in diversity, which has accepted refugees for years, Hindus from Pakistan, budhs from Bhutan many more for years, seemed to be a safe option for the refugees from Myanmar, India has ratified the universal declaration on human rights hence non-refoulement principle is accepted by India but recently India started deporting groups of Rohingyas to a

¹³ <https://www.aljazeera.com>

relatively untroubled area in north Rakhine states. India's Hindu nationalist government has broken its years' old tradition in name of security risks, regarding Rohingyas as illegal aliens

In *NHRC V. State of Arunachal Pradesh*¹⁴ - it was held that refugees shouldn't be subjected to detention or deportation and that they are entitled to approach the UNHCR for grant of status of refugees.

In *P. Nedumaran V. Union of India*¹⁵ – the voluntary nature of repatriation was emphasized upon and the court held that UNHCR, being a world agency, was to ascertain the voluntariness of the refugees and hence, it was not upon the court to hold if the consent is voluntary or not.

In *Louis de Raedt v. Union of India*¹⁶ – there is no provision on the constitution fettering the absolute and unlimited power of the government to expel foreigners under the Foreigners Act of 1946.

Indian constitution ensures some fundamental rights to even the non-citizens of the country, Article 14, Article 21, Article 22, Article 20, Article 25, Article 32 available to non-citizens, including refugees, but what is happening is forceful refoulement of the refugees, is against the rules of constitution, the supreme court of India stated that the government must strike a balance between human rights and national security interests and legal deportation of Rohingyas by government

BANGLADESH WITH ROHINGYAS

¹⁴ NHRC V. State of Arunachala Pradesh 1996 AIR 1234 SCC (1)742

¹⁵ P. Nedumaran V. UOI 1993(2) ALT 291

¹⁶Louis de Raedt v. UOI 1991 AIR1886, SCR (3)149.

Like the Indian constitution, Bangladesh's constitution also has fundamental rights some of which apply to non-citizens also which include –

The Right to Protection of Law - The refugees have the constitutional right to enjoy the protection of the law in this country. Article 31 of Bangladesh's law of the land has conferred to them the right to enjoy the protection of the law and to be treated under the law, is an inalienable right of every citizen and there must be no action in direction of detriment to the life, liberty, body, reputation or property of a person shall be taken except following the law.

Safeguards as to Arrest and Detention- Article 33 of the Constitution provides safeguards against arrest and detention for the citizens and non-citizens alike. It enumerates that no person who is arrested shall be detained in custody without being informed, as soon as possible, of the grounds for his arrest. Moreover, his right to consult and be defended by a legal practitioner of his choice can't be denied. However, this right does not apply to any person, who for the time being is an 'alien enemy'.

Protection of International Refugee under the Constitution of Bangladesh - Prohibition of Forced Labour Article 34 of the Constitution can be used to safeguard the rights of the refugees as well. It says that any form of forced labor is prohibited and any contravention of this provision shall be an offense.

The asylum seekers are accorded refugee status by the Government of Bangladesh under "Executive order". For Example, during 1978 and the time between 1991 to 1992, the Rohingya asylum seekers from Myanmar were provided refugee status under Executive orders of the Government of Bangladesh. They were granted prima facie refugee status.¹⁷ This adoption of different approaches by the authority creates problems. The situation gets further complicated

¹⁷ www.who.int/emergencies/crises/bgd/en

as Bangladesh adopts different solutions and varying standards of treatment for the refugees. During the refugee influx from 1991 to 1992, the Government invited the International Refugee Agency UNHCR, to launch their operation in Bangladesh. The Government also allowed NGOs both national and international in the refugee operation. Like other Asian countries, Bangladesh is also not a signatory of the 1951 convention and 1967 protocol.¹⁸

¹⁹ In November 2017 Myanmar and Bangladesh agreed to start repatriating refugees within the next 2 months, but even in Jan 2018 the agreed start date of repatriation passes without action. Later UN Security Council envoys visited Myanmar and Bangladesh to observe needs and conditions. By November monsoon and cyclone increased hazards in the lives of refugees. It was in Sept when the UN released a report accusing Myanmar of the condition of Rohingyas. Even in 2019 uncertainty continued, no repatriation occurred and the violence increased in Rakhine state, and in December international court of justice accused Myanmar of the genocide of Rohingyas.²⁰

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CHINA –

Uighurs are Turkish speaking population from China, in 2018 it was estimated that 800,000 members of the 11 million Uighur population were detained. In April 2019, the Council on Foreign Relations reported the number had been raised to one million. Since then, reports have further raised the number to two million due to the so-called cultural revolution of the communist Chinese government²¹, nearly 200 mosques out of 800 mosques by have been destroyed the Chinese government. China's so-called "re-education programmes" are using brutal indoctrination methods, including torture, to break and reshape the core identities of

¹⁸ www.hrw.org/news/2019/09/07/Bangladesh-clampdown.

¹⁹ Reliefweb.int

²⁰ www.unhcr.org/rohingya-emergency.htm

²¹ <https://www.alaraby.co.uk/english/indepth/2019/11/20/chinas-uighurs-a-genocide-in-the-making>

Chinese Muslims into loyalists of the Communist Party. According to the Uighur American association's published works, there are 386 known cases of intellectuals interned, disappeared, or imprisoned, including 101 students and 285 scholars, artists, and journalists.

The Chinese government claims that Uighurs have extremist views and are a threat to society and they are liable for attacks in 2013 and 2014. In 2017 the Xinxiang government passed a law prohibiting men from growing long beards and women from wearing veils and demolishes many mosques in the region.

According to the French news service Agence France-Pressé the camps were described as a place where thousands of guards carried spiked clubs, tear gas, and stun guns surveil the detainees, who are held in buildings surrounded by razor wire and infrared cameras. AFP journalists also reviewed public documents that showed government agencies overseeing the camps purchased 2,768 police batons, 550 electric cattle prods, 1,367 pairs of handcuffs, and 2,792 cans of pepper spray.²²

In a generally ineffective global address to Uighur detainment, a United Nations Human Rights Council session in July 2019 featured a joint statement signed by 22 Majority-Western countries that spoke out against China's actions. Notably, four days later 37 countries defended China saying that it was a remarkable achievement of in the field of human rights by protecting their country from terrorism. And surprisingly it includes Islamic countries such as Pakistan, Egypt which are among places of refuge for Uighurs, and being an Islam state these countries were expected to support Uighurs.²³

Why there is so much criticism but no action?

²² www.pbs.org/newshour/features/uighurs

²³ www.bbc.com/news/world-asia-china-22278037

Today China stands as a major global economic power, which is why Muslim-majority countries who have economic interests in China cannot afford to speak up about Uighur imprisonment. In recent years, the promise of the Belt and Road Initiative (BRI), Launched in 2013, the BRI connects over 70 countries across four major continents (Asia, Oceania, Africa, and Europe) through a network of shipping lanes and railroads. It's a "physical and financial" connection to China that mimics the old Silk Road land route and cost the country \$900 billion (£635 billion) of investments. And the great amount of investment that the countries have made in China. The economic interest that the world has with China is preventing their voices to raise against this menace in China.²⁴

REFUGEE LAWS IN THE TURKEY, EGYPT, AND OTHER COUNTRIES WHERE UIGHURS RESIDE.

TURKEY -Although most refugees seeking asylum in Turkey are from non-European countries, Turkey's instrument of accession to the 1951 Convention on the Status of Refugees limits the scope of the Convention's application to European asylum seekers, and Turkey's Settlement Act still emphasizes persons of Turkish descent and culture because of the immigrants eligible for settlement with in the country and possible citizenship. While Turkey's Law on Foreigners and International Protection have instituted major changes with the country's asylum system, most current asylum seekers are placed under "temporary protection" for settlement in another country instead of being accepted as refugees for settlement in Turkey. In the case of the influx of migrants from Syria, Turkish authorities have over the years they have been expanding the rights and protections of refugees, but now because they continue to

²⁴ <https://www.usnews.com/news/world/articles/2020-01-18/myanmar-china-ink-deals-to-accelerate-belt-and-road-as-xi-courts-an-isolated-suu-kyi>

get more and more refugees every year, turkeys view of non-refoulement and peace and harmony with refugees is also changing.

So Turkey's refugee laws aren't rigorous but promise non-refoulement, Under the terms of temporary protection, the authorities provide for refugees' basic needs and also furnish social services, translation services, IDs, travel documents, access to education, and work permits. Applicants for cover could also be obliged by the authorities to live in a specific location and to report to the authorities at certain intervals.

Turkey had no specific law until it signed the 1951 convention and it followed UN's policies when it came to treatment of refugees, but in April 2013, first legislation on migrant issues, the Law on Foreigners and International Protection (LFIP) was adopted; it became effective in April 2014. The law with a goal to regulate the principles and procedures for foreigners' entry into, stay in, and exit from Turkey.²⁵

So even though turkey legally can give refugee status to the European refugees, but due to LFIP non-European refugees also got a position at par with European refugees.

Turkey with Uighurs

Turkey is the only Muslim nation supporting Uighurs and is under the special notice of China. A Muslim minority who speak a Turkish language, Uighurs are seen as culturally close to Turkish people.²⁶ But once settled in Turkey, mainly in Istanbul's immigrant-friendly Zeytinburnu district, most live in legal limbo, without residence or work permits and unable to renew their Chinese passports, Uighurs in turkey aim at reviving their culture and desperately

²⁵ www.unhcr.org/news/briefing

²⁶ refugeesolidaritynetwork.org/about-refugees-in

creating what has been in China again. They've been witnessed protesting near the Chinese embassies in turkey.²⁷

Turkish refugee law has made their life less hard and providing them with the basic amenities, but due to the Chinese influence over nations economically the Uighurs live under the fear of forceful refoulement.²⁸

EGYPT-

Egypt acceded to the UN Convention Relating to the Status of Refugees in May 1981. According to a report by UNHCR, the Egyptian government has no comprehensive legal tool to manage the refugees—various fragmentary domestic legislative initiatives regulate their legal status.

There is no comprehensive legal instrument to deal with refugees or asylum seekers in Egypt. The Egyptian authorities have adopted several fragmentary domestic legislative initiatives to regulate the legal status of refugees and asylum seekers:²⁹

The Egyptian Constitution of 2014 protects refugees and asylum seekers; as an example, article 91 prohibits the extradition of political refugees.

Law No. 104 of 1985 prevents foreign persons and companies from owning agricultural property, fertile land, or desert land in Egypt, Presidential Decree No. 331 of 1980 adopted the Refugee Convention as domestic law, Presidential Decree No. 89 of 1960 on the Residency and Entry of Foreigners bans foreigners who don't have valid travel documents from entering the country.³⁰

²⁷ www.mhd.org.tr/en

²⁸ www.malaysia-today.net/2019/08/13/chinese-uighur.

²⁹ egyptianfoundation.wordpress.com/welcome

³⁰ <https://www.loc.gov/law/help/refugee-law/egypt.php>

So Egypt relies on UNHCR and very few domestic law for helping the 2,28,200 refugees it hosts.

When it comes to Uighurs Egypt being a Muslim nation should've been the one supporting them but instead, Egypt supported China, praising it for its work in saving the country from terror and so the laws of Egypt for refugees lack protection and refoulement is easy for a country like China to make as China is one of Egypt's biggest investors, funding the infrastructure projects such as the construction of new administrative capital in Cairo.³¹

Egyptian police are helping the Chinese government in deporting Uighurs back to China. Uighurs there are under surveillance and their phones can be tracked ³²

The story of Abdulmalik Abdulaziz, a Uighur student, was arrested and handcuffed by Egyptian police and once they removed his blindfold he was being interrogated by Chinese policemen.³³ He was picked up in the middle of the day and carried to a Cairo police station where Chinese officials investigated his purpose of living in Egypt. The officials spoke to him in Chinese, addressing him by his original Chinese name. while talking to AFP Abdulaziz, 27, said that the policemen never told their names or mentioned who they were exactly when AFP was helping to uncover new details of the 2017 arrests of over 90 Uighurs from the mostly Muslim Turkic minority. Abdulaziz, like the others in the three-day crackdown of July 2017, was an Islamic theology student at Al-Azhar, the Sunni Muslim one of the world's most prestigious educational institution for Islamic studies.³⁴ So the refugees in Egypt are not safe and refoulment is very likely to happen, the refugee laws need to be amended and made strong in Egypt.

³¹ <https://www.ndtv.com/world-news/china-looks-for-uighurs-in-egypt-where-its-pouring-billions-into-infra-208662>

³² www.hindustantimes.com/world-news/egypt

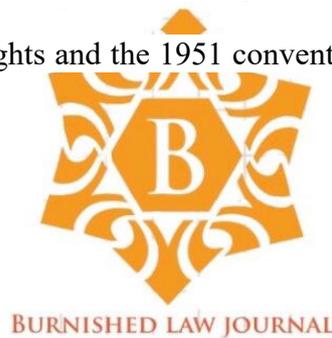
³³ www.loc.gov/law/help/refugee-law/turkey.php

³⁴ www.aljazeera.com/news/2017/07/fear-panic-egypt

OTHER COUNTRIES - There are many countries where Uighurs have fled to such as Pakistan, Thailand, Africa, Bangladesh, and many more.

In July 2015, following an international campaign in their favor, 173 Uyghurs were released to start new lives in Turkey. But a week later, the Thai government forcibly returned over 100 refugees to China in violation of the non-refoulement principle. Similar is the case of other nations, these nations claim of no news of where about of Uighurs in their boundaries but allows China to have surveillance over the Chinese population in those countries.

Uighurs live in crowded inhabitable detention camps in these countries and violating the universal declaration on human rights and the 1951 convention they are deported to China to suffer again.³⁵



CONCLUSION

To conclude the condition of Rohingyas in India and Bangladesh – in India they are being refouled and even when there are provisions in international law applicable in India. India's laws should support Rohingyas as it has supported the refugees from Bhutan, Pakistan and many other countries but because the development of refugee laws in India is at tender stage and due to lack of strong precedents to protect rights of the refugees in India the Rohingyas are getting persecuted even in this country. In case of Bangladesh the repatriation was to take

³⁵ www.uyghurcongress.org/en/china-is-violating

place as per the agreement between the two involved nations which got delayed and now Myanmar stands accused of genocide, still there are no steps taken by Myanmar government or Bangladesh government for the betterment of Rohingyas and they continue to suffer because of the diplomacy and politics.

Uighurs in turkey are under protection but fear deportation due to influence of China over nations around the globe, Turkey's refugee laws are also still under development but as Uighurs being Turkish speaking population and are related to the culture of turkey are safe in turkey and are provided with basic amenities, but their case is severe in Egypt and other countries having economic interests with China, these nations refugee law is too frail and fragile to secure interests of refugees and UNHCR is of no help in these countries ³⁶

Though UNHCR is growing strong but without international cooperation, it can't help refugees or implementation of the law by this body is hard-won.

There should be some kind of international police for implementation of refugee laws, who can check over the laws and the refugees in the countries, refugees are not even the reason of conflicts and wars in their homelands and are the ones suffering and made to leave their homeland, one cannot be punished for possessing some ideology or thoughts until it infringes upon rights of others, religion, color. There is need of a revolution, change in the ideas of the governments that are moving in direction of nationalism which is gradually turning into extremist nationalism, love for one's religion but hate for others can be observed in the case of Uighurs, the government is the one who needs reeducation, not the people, and the international laws must be made strong enough to check over the conditions and implementation the laws must be mandatory.

³⁶ www.voanews.com/east-asia-pacific/china-warns-us.

Islamophobia is a common characteristic to be noticed in the case of both the nations, Islam being different from other religions and being restrictive is often criticized, but this doesn't mean that the Muslims don't have any rights and deserve to live like others and oppressed where Islam is a minority religion, secularism, respect for all religions is not just a right but also a duty, a fundamental characteristic to be developed in the humans of 20th century. The Chinese government is anti of other religions and ethnic beliefs, it was their islamophobia that led to detriment of Uighurs, the Rohingyas also were persecuted on basis of their religion and ethnic beliefs, refugees in many other parts of the world are persecuted on basis of their religion or color, even in today's world existence of such restrictive government and narrow minded leaders is a curse.³⁷

SUGGESTION - Refugees must be given ways and resources for resettlement, it is necessary for them to finally stop running and having a secure life, where their children can get the education and their basic rights, the condition of refugee children is pathetic, they are under severe malnutrition, they falling in traps of traffic gangs, uneducated and abandoned. Children being forced to work and face the brutal world at such tender age cause detriment not only to their health but also to their mind and soul.

The cross border travel of refugees must be made easy i.e. they should be allowed traveling free and without papers, no matter by what means are they traveling or fleeing from persecution. The exploitation of refugees and other migrants is rising and no protection is provided, the trafficking gangs should be investigated and must be prosecuted. Many refugee survivors have reported to amnesty international in Southeast Asia about the killings on boats when they couldn't pay ransoms, it is inhuman to throw people overboard and leave them to die without food and water.

³⁷ www.islamophobia.org/research/islamophobia-101.html

Xenophobia and racial discrimination must be fought, the government must stop seeing refugees as a burden on the economy and a reason for social problems. Over 1,000 mainly Burundian and Congolese refugees were forced to flee after violence and looting broke out in April and May 2015 in Durban, South Africa.³⁸

The nations who make such conditions, that make people flee from their own country should be punished by international diplomacy, an atmosphere of justice and humanity should be maintained internationally.

The narrow ideologies of nations and their inability to accept minor groups as part of their nation must change. Development of strong refugee laws all over the world is necessary, this impoverished state of refugee law is giving means to nations like China and Myanmar to continue their pride and prejudice game. The dolour and trauma of the minorities must end.



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